

FILED: February 6, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1954
(5:15-cv-00627-BO)

FREDERICK L. ALLEN; NAUTILUS PRODUCTIONS, LLC

Plaintiffs - Appellees

v.

JOSHUA H. STEIN, Governor of North Carolina; SUSAN WEAR KLUTTZ, Former Secretary of the North Carolina Department of Natural and Cultural Resources, in her official capacity; MARGRETTE KATHRYN THOMPSON, Chief Deputy Secretary of the North Carolina Department of Natural and Cultural Resources, in her official capacity; DARIN J. WATERS, Deputy Secretary of the North Carolina Department of Natural and Cultural Resources, in his official capacity; CATHERINE ANN SWAIN, Director of Marketing of the North Carolina Department of Natural and Cultural Resources, in her official capacity; JAMES CHRISTOPHER SOUTHERLY, State Archaeologist, in his official capacity; STEPHEN ATKINSON, Deputy State Archaeologist - Underwater and Director of the Underwater Archaeology Branch of the North Carolina Department of Natural and Cultural Resources, in his official capacity; NORTH CAROLINA DEPARTMENT OF NATURAL AND CULTURAL RESOURCES; STATE OF NORTH CAROLINA; JEFFREY NEALE JACKSON, Attorney General of North Carolina, in his official capacity; PAMELA BREWINGTON CASHWELL, Secretary of the North Carolina Department of Natural and Cultural Resources, in her official capacity; SARAH KOONTS, in her official capacity; MARIA E. VANN, Director of Regional History Museums of the North Carolina Department of Natural and Cultural Resources, in her official capacity; MIKE CARRAWAY, in his official capacity; WILLIAM SCHORR JOHNSON, Director of Communications of the North Carolina Department of Natural and Cultural Resources, in his official capacity

Defendants - Appellants

and

FRIENDS OF QUEEN ANNE'S REVENGE, A NON-PROFIT CORPORATION

Defendant

TEMPORARY STAY OF MANDATE

Under Fed. R. App. P. 41(b), the filing of a timely petition for rehearing or rehearing en banc stays the mandate until the court has ruled on the petition. In accordance with Rule 41(b), the mandate is stayed pending further order of this court.

/s/Nwamaka Anowi, Clerk